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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
BELIVEAU, SCOTT E	
ART UNIT	PAPER NUMBER
2623	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/748,905	STEADING ET AL.	
	Examiner	Art Unit	
	Scott Beliveau	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 February 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *1/22/07*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 22 January 2007 was filed after the mailing date of the Non-Final Rejection on 16 November 2006. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

Response to Arguments

2. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

With respect to applicant's arguments that the Swix reference fails to illustrate that "only channels, times, and titles associated with the events in a respective package" are shown, the examiner concurs that Swix does not illustrate the amended feature. Swix teaches that the array may be configured to only include rows with highlighted elements. However, the examiner does not concur that the system necessarily operates to include extraneous non-highlighted elements as argued. Rather, it is the examiner's interpretation that the reference is merely silent with regards to what happens to the extraneous elements within a given row. As noted in the arguments, Figures 4 and 5 do illustrate extraneous non-highlighted elements. The figures, however, also include extraneous rows (ex. 8 – CSPAN and 9 – MTV) and consequently it is the examiner's position that the figures cannot be relied in the manner argued to definitively conclude whether or not the extraneous information such as the non-highlighted element "Headlines" is in fact shown subsequent to collapsing the information.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-4, 7-11, and 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knudson et al. (US Pat No. 6,016,141) hereafter (Knudson et al. ('141)), in view of the 'NFL.COM: 1997 regular season to get August start', in view of Swix (WO 00/14954 A2), and in further view of Knudson et al. (US Pub No. 2006/0095937) hereafter (Knudson et al. ('937)).

Regarding claim 1, the Knudson et al. ('141) reference discloses a "method for allowing programming providers" [26] to "offer subscribers" [32] "programming events" (Col 2, Lie 66 – Col 3, Line 21). The method comprises a programming provider "associating events" such as those corresponding to a 'season ticket' or other related events "to create packages"

(Figures 3-5; Col 1, Lines 28-41; Col 4, Line 66 – Col 5, Line 51; Col 6, Lines 21-34). The 'programming provider' [26] subsequently "communicates an electronic program guide, the electronic programming guide having a programming grid . . . simultaneously listing a start time and a stop time of each event associated with each package" (Figure 2; Col 3, Lines 9-16).

With respect to the particular composition of the 'packages', the reference teaches that the packages may comprise a 'season ticket' package that includes all sports programs of a specific league or team for the duration of the sports season (Col 6, Lines 22-34). In creating such a package, the reference is silent with respect to the scheduling of sporting of events that are well known in the art to "span multiple channels over non-contiguous time slots". For example, the ''NFL.COM: 1997 regular season to get August start" publication provides evidence of fact that a 'season ticket' for a specific sports team (ex. New England Patriots) would comprise "events spanning multiple channels over non-contiguous time slots" (ex. NBC – Sunday September 7th at 1 PM, TNT – Sunday September 14 at 8 PM, ABC – Monday October 27 at 9 PM, etc.). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to "associate events spanning multiple channels over non-contiguous time slots" such as events corresponding to a particular NFL sporting team for the purpose of creating packages of televised programming for one of the most popular sporting leagues in America.

The Knudson et al. ('141) reference is further silent with respect to the particular usage of different 'modes' as claimed. In an analogous art pertaining to the field of interactive programming, the Swix et al. reference discloses an "electronic programming guide . . .

listing a wrapper associated with [each specialty topic] and each [specialty topic's] associated events, the wrapper surrounding all the associated events for each [specialty topic], the programming grid also simultaneously listing a start time and a stop time of each event associated with each [specialty topic]" (Figure 5). The "electronic programming guide has a first mode in which inputs to a navigator" or user interface to "scroll from one wrapper to another wrapper" (Page 8, Lines 4-7). The 'first mode' corresponds to the particular display of both matching and non-matching entries. Therefore, responsive to the user choosing a different 'specialty topic', the user "scrolls from one wrapper" associated with the first 'specialty topic' to "another wrapper" corresponding to the newly selected 'specialty topic' (Page 15, Lines 18-24). The "electronic programming guide" further comprises a "second mode in which inputs to the navigator" scroll from one event to another event within the same wrapper" (Page 15, Line 27 – Page 16, Line 6). In association with the operation of the two modes, the system "recognizes . . . non-contiguous events; and in response to the non-contiguous events, prompts to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying only channels [and] times . . . associated with the events" in a 'specialty topic' (Page 9, Lines 1-4; Page 15, Lines 18-27; Page 16, Lines 27-30). Swix et al. suggests that the particular 'specialty topic' relates to a logical grouping of a particular type of programming (Page 2, Lines 14-17). A 'package' as set forth in Knudson et al. ('141) defines logical groupings of related programs. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Knudson et al. ('141) 'electronic programming guide' to "hav[e] a programming grid simultaneously listing a wrapper associated with each package and each

package's associated events, the wrapper surrounding all the associated events for each package [and] the programming grid also simultaneously listing a start time and a stop time of each event associated with each package", to comprise a "first mode in which inputs to a navigator scroll from one wrapper to another wrapper, and . . . a second mode in which inputs to the navigator scroll from one event to another event within the same wrapper", to "recognize[e] the non-contiguous events; and in response to the non-contiguous events, prompting to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying only channels [and] times . . . associated with the events in a respective package" for the purpose of informing the viewer as to the availability of programs of a particular type (Swix et al.: Page 3, Lines 1-3) in a manner in which the viewer can choose to be provided with more focused information (Swix et al.: Page 15, Lines 26-27).

While Swix et al. discloses that the particular conversion to the "second mode" may include only that portion of the array that encompasses the highlighted elements (Page 16, Line 27 – Page 17, Lines 7), the reference taken in combination does not particularly illustrate "displaying only channels, times, and titles associated with the events in a respective package". In an analogous art pertaining to the field of interactive programming, the Knudson et al. ('937) reference discloses a "second mode wherein the programming grid is collapsed, thus displaying only channels, times, and titles associated with the events" corresponding to particular logical groupings of programs (Figure 9; Para. [0064] – [0065]). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combination such that "in response to the non-

contiguous events, prompting to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying only channels, time and titles associated with the events in a respective package" for the purpose of providing a more sophisticated way in which to locate program categories in a manor that simplifies the display by providing information more reflective of a user's interests (Knudson ('937): Para. [0010] – [0012]).

Claim 2 is rejected wherein "associating events comprises combining events that are related by content, time, or source" (Knudson et al. ('141): Col 6, Lines 21-34).

Claim 3 is rejected wherein the "wrapper relates each package's associated events, such that the electronic programming guide simultaneously lists each package's wrapper and each package's associated events" (Swix et al.: Page 19, Lines 3-21).

Claim 4 is rejected wherein the method further comprises "highlighting each wrapper as the navigator scrolls from one package to another package" as previously discussed. Claim 1 claim does not require for the simultaneous display of multiple wrappers on the display screen as opposed to only requiring the particular display of 'a wrapper', nor does the open language of the claim preclude any additional steps. The navigator may initially highlight a 'package' associated with a 'season ticket' for one sporting team and subsequently responsive to the user designation will highlight a 'season ticket' for one sporting team. Swix et al. teaches that a highlighted entry is always placed in the first row (Page 15, Lines 18-24). Therefore, the method "highlights each wrapper" (initially that associated with the first package and that associated with the second package) "as the navigator scrolls from one package to another package" in order to maintain that the first row comprises the newly designated wrapper of the second package.

Claim 7 is rejected wherein the "electronic programming guide further comprises an expanded mode in which time and channel information concerning the events are displayed" (Swix et al.: Figure 4)(Knudson et al. ('141): Figures 8-9).

Claim 8 is rejected as previously discussed. Knudson et al. ('141) discloses a "method for offering users additional programming information concerning events of interest" through its particular provision of an 'electronic programming guide'. The method comprises "receiving an electronic programming guide having events" such as those corresponding to a 'season ticket' or other related events "associated with packages" (Figures 3-5; Col 1, Lines 28-41; Col 4, Line 66 – Col 5, Line 51; Col 6, Lines 21-34). The "electronic programming guide has a programming grid . . . simultaneously listing a start time and a stop time of each event associated with each package" (Figure 2; Col 3, Lines 9-16).

With respect to the particular composition of the 'packages', the reference teaches that the packages may comprise a 'season ticket' package that includes all sports programs of a specific league or team for the duration of the sports season (Col 6, Lines 22-34). In creating such a package, the reference is silent with respect to the scheduling of sporting of events that are well known in the art to "span multiple channels over non-contiguous time slots". For example, the "NFL.COM: 1997 regular season to get August start" publication provides evidence of fact that a 'season ticket' for a specific sports team (ex. New England Patriots) would comprise "events spanning multiple channels over non-contiguous time slots" (ex. NBC – Sunday September 7th at 1 PM, TNT – Sunday September 14 at 8 PM, ABC – Monday October 27 at 9 PM, etc.). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to "associate events spanning

multiple channels over non-contiguous time slots" such events corresponding to a particular NFL sporting team for the purpose of creating packages of televised programming for one of the most popular sporting leagues in America.

The Knudson et al. ('141) reference is further silent with respect to the particular usage of different 'modes' as claimed. In an analogous art pertaining to the field of interactive programming, the Swix et al. reference discloses "receiving an electronic programming guide . . . having a programming grid simultaneously listing a wrapper associated with [each specialty topic] and each [specialty topic's] associated events, the wrapper surrounding all the associated events for each [specialty topic], the programming grid also simultaneously listing a start time and a stop time of each event associated with each [specialty topic]" (Figure 5). The method comprises "receiving an input to a navigator" or user interface (Page 9, Lines 1-4) "that selects a first mode in which the navigator scrolls from one wrapper to another wrapper within the electronic programming guide" (Page 8, Lines 4-7). The 'first mode' corresponds to the particular display of both matching and non-matching entries. Therefore, responsive to the user choosing a different 'specialty topic', the "navigator scrolls from one wrapper", associated with the first 'specialty topic', to "another wrapper" corresponding to the newly selected 'specialty topic' (Page 15, Lines 18-24). The method further comprises "receiving another input to the navigator that selects a second mode in which the navigator scrolls from one event to another event within the same wrapper" (Page 8, Lines 4-7; Page 15, Line 27 – Page 16, Line 6). In association with the operation of the two modes, the system "recognizes . . . non-contiguous events; and in response to the non-contiguous events, prompts to switch from the first mode to the second mode wherein the

programming grid is collapsed, thus displaying only channels [and] times . . . associated with the events" in a 'specialty topic' (Page 9, Lines 1-4; Page 15, Lines 18-27; Page 16, Lines 27-30). Swix et al. suggests that the particular 'specialty topic' relates to a logical grouping of a particular type of programming (Page 2, Lines 14-17). A 'package' as set forth in Knudson et al. ('141) defines logical groupings of related programs. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Knudson et al. ('141) 'electronic programming guide' to further "hav[e] a programming grid simultaneously listing a wrapper associated with each package and each package's associated events, the wrapper surrounding all the associated events for each package [and] the programming grid also simultaneously listing a start time and a stop time of each event associated with each package", to "receive an input to a navigator that selects a first mode in which the navigator scrolls from one wrapper to another wrapper within the electronic programming guide", to "receive another input to the navigator that selects a second mode in which the navigator scroll from one event to another event within the same wrapper", to "recognize[e] the non-contiguous events; and in response to the non-contiguous events, prompting to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying only channels [and] times . . . associated with the events in a respective package" for the purpose of informing the viewer as to the availability of programs of a particular type (Swix et al.: Page 3, Lines 1-3) in a manner in which the viewer can choose to be provided with more focused information (Swix et al.: Page 15, Lines 26-27).

While Swix et al. discloses that the particular conversion to the "second mode" may include only that portion of the array that encompasses the highlighted elements (Page 16, Line 27 – Page 17, Lines 7), the reference taken in combination does not particularly illustrate "displaying only channels, times, and titles associated with the events in a respective package". In an analogous art pertaining to the field of interactive programming, the Knudson et al. ('937) reference discloses a "second mode wherein the programming grid is collapsed, thus displaying only channels, times, and titles associated with the events" corresponding to particular logical groupings of programs (Figure 9; Para. [0064] – [0065]). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combination such that "in response to the non-contiguous events, prompting to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying only channels, time and titles associated with the events in a respective package" for the purpose of providing a more sophisticated way in which to locate program categories in a manor that simplifies the display by providing information more reflective of a user's interests (Knudson ('937): Para. [0010] – [0012]).

Claim 9 is rejected wherein "receiving the electronic programming guide comprises receiving information selected from the group consisting of: pricing, content and scheduling information" (Knudson et al. ('141): Figures 3-5; Col 3, Lines 9-16).

Regarding claim 10, Figure 1 of Knudson et al. ('141) illustrates a "system" [20] for "processing an electronic program guide". The system comprises a "processor executing a software module stored in memory" [34] (Col 3, Lines 36-43). The "processor" [34] "receives events . . . associated with packages" (Col 3, Lines 45-53; Col 3, Line 63 – Col 4,

Line 7). The "processor" [34] "stores the electronic programming guide in the memory" (Col 3, Lines 22-30) and the "electronic programming guide ha[s] a programming grid . . . simultaneously listing a start time and a stop time of each event associated with each package" (Figure 2; Col 3, Lines 9-16).

With respect to the particular composition of the 'packages', the reference teaches that the packages may comprise a 'season ticket' package that includes all sports programs of a specific league or team for the duration of the sports season (Col 6, Lines 22-34). In creating such a package, the reference is silent with respect to the scheduling of sporting of events that are well known in the art to "span multiple channels over non-contiguous time slots". For example, the ''NFL.COM: 1997 regular season to get August start" publication provides evidence of fact that a 'season ticket' for a specific sports team (ex. New England Patriots) would comprise "events spanning multiple channels over non-contiguous time slots" (ex. NBC – Sunday September 7th at 1 PM, TNT – Sunday September 14 at 8 PM, ABC – Monday October 27 at 9 PM, etc.). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to "receive events spanning multiple channels over non-contiguous time slots associated with packages" such as events corresponding to a particular NFL sporting team for the purpose of creating and distributing packages of televised programming for one of the most popular sporting leagues in America.

The Knudson et al. ('141) reference is further silent with respect to the particular usage of different 'modes' as claimed. In an analogous art pertaining to the field of interactive programming, the Swix et al. reference discloses an "electronic programming guide . . . that simultaneously lists a wrapper associated with [each specialty topic] and each [specialty

topic's] associated events, the wrapper surrounding all the associated events for each [specialty topic], the programming grid also simultaneously listing a start time and a stop time of each event associated with each [specialty topic]" (Figure 5). The system "produces a first mode of the electronic programming guide in which inputs to a navigator" or user interface to "scroll from one wrapper to another wrapper" (Page 8, Lines 4-7). The 'first mode' corresponds to the particular display of both matching and non-matching entries. Therefore, responsive to the user choosing a different 'specialty topic', the user "scrolls from one wrapper" associated with the first 'specialty topic' to "another wrapper" corresponding to the newly selected 'specialty topic' (Page 15, Lines 18-24). The "processor [further] produces a second mode of the electronic programming guide in which inputs to the navigator" scroll from one event to another event within the same wrapper" (Page 15, Line 27 – Page 16, Line 6). In association with the operation of the two modes, the system "recognizes . . . non-contiguous events; and in response to the non-contiguous events . . . prompt[s] to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying only channels [and] times . . . associated with the events" in a 'specialty topic' (Page 9, Lines 1-4; Page 15, Lines 18-27; Page 16, Lines 27-30). Swix et al. suggests that the particular 'specialty topic' relates to a logical grouping of a particular type of programming (Page 2, Lines 14-17). A 'package' as set forth in Knudson et al. ('141) defines logical groupings of related programs. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Knudson et al. ('141) "processor" [34] to "stor[e] the electronic programming guide in the memory, the electronic programming guide having a programming grid that simultaneously

lists a wrapper associated with each package and each package's associated events, the wrapper surrounding all the associated events for each package [and] the programming grid also simultaneously listing a start time and a stop time of each event associated with each package", to "produce a first mode of the electronic programming guide in which inputs to a navigator scroll from one wrapper to another wrapper, and . . . a second mode of the electronic programming guide which inputs to the navigator scroll from one event to another event within the same wrapper", to "recognize[e] the non-contiguous events; and in response to the non-contiguous events, . . . prompting to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying only channels [and] times . . . associated with the events in a respective package" for the purpose of informing the viewer as to the availability of programs of a particular type (Swix et al.: Page 3, Lines 1-3) in a manner in which the viewer can choose to be provided with more focused information (Swix et al.: Page 15, Lines 26-27).

While Swix et al. discloses that the particular conversion to the "second mode" may include only that portion of the array that encompasses the highlighted elements (Page 16, Line 27 – Page 17, Lines 7), the reference taken in combination does not particularly illustrate "displaying only channels, times, and titles associated with the events in a respective package". In an analogous art pertaining to the field of interactive programming, the Knudson et al. ('937) reference discloses a "second mode wherein the programming grid is collapsed, thus displaying only channels, times, and titles associated with the events" corresponding to particular logical groupings of programs (Figure 9; Para. [0064] – [0065]). Accordingly, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to modify the combination such that "in response to the non-contiguous events, the processor prompting to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying only channels, time and titles associated with the events in a respective package" for the purpose of providing a more sophisticated way in which to locate program categories in a manor that simplifies the display by providing information more reflective of a user's interests (Knudson ('937): Para. [0010] – [0012]).

Claim 11 rejected wherein the "inputs are received from a remote control" (Swix et al: Page 8, Lines 25-28).

Claim 14 is rejected wherein "when a package comprises non-contiguous events, the processor implements commands to the navigator that scrolls to a next time and a next channel of an associated event within a package" (Swix et al.: Page 15, Line 28 – Page 16, Line 6).

Claim 15 is rejected as previously discussed. Knudson et al. ('141) discloses a "method for organizing and presenting program information within an electronic programming guide". The method comprises "receiving events . . . associated with packages" and "receiving an electronic programming guide having events" such as those corresponding to a 'season ticket' or other related events "associated with packages" (Figures 3-5; Col 1, Lines 28-41; Col 4, Line 66 – Col 5, Line 51; Col 6, Lines 21-34). The "electronic programming guide has a programming grid . . . simultaneously listing a start time and a stop time of each event associated with each package" (Figure 2; Col 3, Lines 9-16).

With respect to the particular composition of the 'packages', the reference teaches that the packages may comprise a 'season ticket' package that includes all sports programs of a specific league or team for the duration of the sports season (Col 6, Lines 22-34). In creating such a package, the reference is silent with respect to the scheduling of sporting of events that are well known in the art to "span multiple channels over non-contiguous time slots". For example, the ''NFL.COM: 1997 regular season to get August start" publication provides evidence of fact that a 'season ticket' for a specific sports team (ex. New England Patriots) would comprise "events spanning multiple channels over non-contiguous time slots" (ex. NBC – Sunday September 7th at 1 PM, TNT – Sunday September 14 at 8 PM, ABC – Monday October 27 at 9 PM, etc.). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to "receive events spanning multiple channels over non-contiguous time slots" such events corresponding to a particular NFL sporting team for the purpose of creating and providing packages of televised programming for one of the most popular sporting leagues in America.

The Knudson et al. ('141) reference is further silent with respect to the particular usage of different 'modes' as claimed. In an analogous art pertaining to the field of interactive programming, the Swix et al. reference discloses "receiving an electronic programming guide . . . having a programming grid simultaneously listing a wrapper associated with [each specialty topic] and each [specialty topic's] associated events, the wrapper surrounding all the associated events for each [specialty topic], the programming grid also simultaneously listing a start time and a stop time of each event associated with each [specialty topic]" (Figure 5). The method comprises "receiving an input to a navigator" or user interface (Page

9, Lines 1-4) "that causes a navigator to scroll from one wrapper to another wrapper within the electronic programming guide" (Page 8, Lines 4-7). A first mode corresponds to the particular display of both matching and non-matching entries. Therefore, responsive to the user choosing a different 'specialty topic', the "navigator scrolls from one wrapper", associated with the first 'specialty topic', to "another wrapper" corresponding to the newly selected 'specialty topic' (Page 15, Lines 18-24). The method further comprises a second mode for "receiving another input that causes the navigator to scroll from one event to another event within the same wrapper" (Page 8, Lines 4-7; Page 15, Line 27 – Page 16, Line 6). In association with the operation of the two modes, the system "recognizes . . . non-contiguous events; and in response to the non-contiguous events, prompt[s] to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying only channels and times . . . associated with the events" in a 'specialty topic' (Page 9, Lines 1-4; Page 15, Lines 18-27; Page 16, Lines 27-30). Swix et al. suggests that the particular 'specialty topic' relates to a logical grouping of a particular type of programming (Page 2, Lines 14-17). A 'package' as set forth in Knudson et al. ('141) defines logical groupings of related programs. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Knudson et al. ('141) 'electronic programming guide' to further "hav[e] a programming grid simultaneously listing a wrapper associated with each package and each package's associated events, the wrapper surrounding all the associated events for each package [and] the programming grid also simultaneously listing a start time and a stop time of each event associated with each package", to "receive an input that causes a navigator to scroll from one

wrapper to another wrapper within the electronic programming guide", to "receive another input that causes the navigator to scroll from one event to another event within the same wrapper", to "recognize[e] the non-contiguous events; and in response to the non-contiguous events, prompting to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying only channels [and] times . . . associated with the events in a respective package" for the purpose of informing the viewer as to the availability of programs of a particular type (Swix et al.: Page 3, Lines 1-3) in a manner in which the viewer can choose to be provided with more focused information (Swix et al.: Page 15, Lines 26-27).

While Swix et al. discloses that the particular conversion to the "second mode" may include only that portion of the array that encompasses the highlighted elements (Page 16, Line 27 – Page 17, Lines 7), the reference taken in combination does not particularly illustrate "displaying only channels, times, and titles associated with the events in a respective package". In an analogous art pertaining to the field of interactive programming, the Knudson et al. ('937) reference discloses a "second mode wherein the programming grid is collapsed, thus displaying only channels, times, and titles associated with the events" corresponding to particular logical groupings of programs (Figure 9; Para. [0064] – [0065]). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combination such that "in response to the non-contiguous events, prompting to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying only channels, time and titles associated with the events in a respective package" for the purpose of providing a more sophisticated way in

which to locate program categories in a manor that simplifies the display by providing information more reflective of a user's interests (Knudson ('937): Para. [0010] – [0012]).

Claim 16 wherein the "wrapper relates each package's associated events, such that the electronic programming guide simultaneously lists each package's wrapper and each package's associated events" (Swix et al.: Page 19, Lines 3-21).

Claim 17 is rejected wherein "when a package comprises non-contiguous events, then causing the navigator to scroll to a next time and a next channel of an associated event within a package" (Swix et al.: Page 15, Line 28 – Page 16, Line 6).

Claim 18 is rejected wherein the method further comprises "causing each package to be highlighted as the navigator scrolls between packages" as previously discussed. The navigator may initially highlight a 'package' associated with a 'season ticket' for one sporting team and subsequently responsive to the user designation will highlight a 'season ticket' for one sporting team. Swix et al. teaches that a highlighted entry is always placed in the first row (Page 15, Lines 18-24). Therefore, the method "causes each package" (initially that associated with the first package and that associated with the second package) "to be highlighted as the navigator scrolls between packages" in order to maintain that the first row comprises the newly designated wrapper of the second package.

Claim 19 is rejected wherein the method further comprises "expanding a package, causing an event within the package to be highlighted, and communicating that the event is being purchased" (Knudson et al. ('141): Figures 6-9; Col 6, Line 36 – Col 7, Line 59).

Claim 20 is rejected wherein the method further comprises "receiving the input from a remote control" (Swix et al: Page 8, Lines 25-28).

6. Claims 5, 6, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knudson et al. (US Pat No. 6,016,141) hereafter (Knudson et al. ('141)), in view of the 'NFL.COM: 1997 regular season to get August start', in view of Swix (WO 00/14954 A2), in view of Knudson et al. (US Pub No. 2006/0095937) hereafter (Knudson et al. ('937)), and in further view of Ellis et al. (US Pat No. 6,604,240).

In consideration of claim 5, the references are silent with respect to further "expanding the electronic program guide to include channel information concerning at least one event associated with a package". In an analogous art pertaining to interactive video distribution, the Ellis et al. reference discloses "expanding [an] electronic program guide to include channel information concerning at least one event associated with a package" (Col 5, Line 58 – Col 6, Line 5). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined references to further "expand [an] electronic program guide to include channel information concerning at least one event associated with a package" in order to provide an interactive television program guide that enhances the availability of a service provider to supply users with information on the programming available (Ellis et al.: Col 1, Lines 43-46).

Regarding claim 6, the combination of references is silent with respect to the "electronic programming guide further comprising a collapsed mode in which only time information concerning the package are displayed". In an analogous art pertaining to interactive video distribution systems, the Ellis et al. reference discloses an "electronic programming guide further comprising a collapsed mode in which only time information concerning the package are displayed" (Figure 11). Accordingly, it would have been obvious to one having ordinary

skill in the art at the time the invention was made to modify the 'electronic programming guide' of the combined references to "further comprising a collapsed mode in which only time information concerning the package are displayed" for the purpose of to provide an interactive television program guide that enhances the availability of a service provider to supply users with information on the programming available (Ellis et al.: Col 1, Lines 43-46).

Regarding claim 12, the combination of references is silent with respect to the "processor being adapted to receive a command to cause a display to show package information in a collapsed mode in which only time information concerning the package are displayed". In an analogous art pertaining to interactive video distribution systems, the Ellis et al. reference discloses a "processor being adapted to receive a command to cause a display to show package information in a collapsed mode in which only time information concerning the package are displayed" (Figure 11). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the 'electronic programming guide' of the combined references such that the "processor is adapted to receive a command to cause a display to show package information in a collapsed mode in which only time information concerning the package are displayed" for the purpose of to provide an interactive television program guide that enhances the availability of a service provider to supply users with information on the programming available (Ellis et al.: Col 1, Lines 43-46).

In consideration of claim 13, the references are silent with respect to a "zoom mode" as claimed. In an analogous art pertaining to interactive video distribution, the Ellis et al.

reference discloses a "zoom mode in which additional information is accessed . . . describing an event within a package" (Col 5, Line 58 – Col 6, Line 5). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined references to further comprise a "zoom mode in which additional information is accessed . . . describing an event within a package" in order to provide an interactive television program guide that enhances the availability of a service provider to supply users with information on the programming available (Ellis et al.: Col 1, Lines 43-46).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

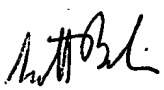
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Beliveau whose telephone number is 571-272-7343. The examiner can normally be reached on Monday-Friday from 8:30 a.m. - 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Scott Beliveau
Primary Examiner
Art Unit 2623



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March 23, 2007